

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 20, 2004

DIVISION ONE

B168938 Los Angeles County, D (Not for Publication)
 v.
 Eric R.,
 In re Jesse R., a minor

The judgment (July 10, 2003, order) is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
 Mallano, J.

DIVISION TWO

Court convened at 9:00 AM

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Jim Guzman, Deputy Clerk.

Each of the following:

B156320 People v. Nwandu
B167956 People v. Charlvionte S.
B169008 In re: Cherry W.
B167674 People v. Smith
B167778 People v. Purvis
B170912 In re: Victor A.
B167240 People v. Navarro
B167489 People v. Sanz
B163615 Miller, et al. v. Christ Second Baptist Church of Long Beach, et al.

Argument waived, cause submitted.

DIVISION TWO (Continued)

B162942 Nesbitt et al.
 v.
 Coast to Coast Glass Corporation

Merits:
Argued by Brian Unitt for appellant and by Peter Bing for respondent.
Cause submitted.

B163746 Dalla Inc.
 v.
 Petrossian. et, al.

Merits:
Argued by Robert Enders and Barak Isaacs for appellants and by Thomas Campbell for respondents. Cause submitted.

B165314 Serra Canyon Company, LTD.
 v.
 California Coastal Commission, et al.

Merits:
Argued by Paul Shoop for appellant and by Rosana Miramontes for respondents. Cause submitted.

Justice Ashmann-Gerst leaves bench

B168316 Francis, et al.
 v.
 Westlan Construction Inc., et al.

Merits:
Argued by Kristal Gunn for appellants and by David Lin and Mitchell Ducey for respondents. Cause submitted.

Court in recess until 1:00 p.m.

May 20, 2004 (Continued)

DIVISION TWO (Continued)

Court reconvened at 1:00 P.M.

Present: Boren, P.J., Nott, J., Doi Todd, J., Ashmann-Gerst, J. and Jim Guzman, Deputy Clerk.

Each of the following:

B1637089 Rios v. Scottsdale Ins. Co.
B171219 In re: Tracy M.
B170180 People v. Vargas
B166262 People v. Lavelle R.
B169290 People v. Beaghan
B164534 People v. Jimenez
B165190 People v. Miller
B170074 People v. Guerra
B168093 People v. Buckingham
B166013 People v. Jones

Argument waived, cause submitted.

B164414 Abel, et al.
 v.
 Bolton, et al.

Merits:
Argued by Kevin Kellow for appellants and by Keith Sipprelle for respondents. Cause submitted.

B163832 Valdez, et al.
 v.
 Prinicipal Residential Mortgage, Inc., et al.

Merits:
Argued by David Smyth for appellants and by Darlene Vigil for respondents. Cause submitted.

DIVISION TWO (Continued)

B171297 Luth
 v.
 Los Angeles Department of Water and Power

Merits:
Argued by Don Howarth for appellant and by Mark Dykes for respondent.
Cause submitted.

Court adjourned.

B169025 Omar
 v.
 Ralphs Grocery Company, et al.

Filed order modifying opinion (No change in the judgment). The opinion in the above-entitled matter filed on May 6, 2004, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.

B164783 Domby
 v.
 Girardi, et al.

Filed order denying petition for rehearing.

DIVISION THREE

B165127 People (Not for Publication)
 v.
 Rios

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

May 20, 2004 (Continued)

DIVISION THREE (Continued)

B163287 People (Not for Publication)
v.
Villanueva

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B168760 Richard R. Merritt (Not for Publication)
v.
Gail J. Merritt

The judgment is affirmed. Each party to bear their own costs.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B171189 Fireman's Fund Insurance Company (Not for Publication)
v.
Superior Court, Los Angeles County
(Cal-State Steel Corporation, et al., r.p.i.)

The petition for a writ of mandate is denied. The limited stay of proceedings in the trial court that we issued on March 26, 2004 is hereby vacated. Each party shall bear its own costs in these appellate proceedings.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

May 20, 2004 (Continued)

DIVISION THREE (Continued)

B170729 Charles Chen
v.
Superior Court, Los Angeles County
(David A. Gill, etc., et al., r.p.i.)

Filed order modifying opinion. No change in the judgment)

DIVISION FOUR

B164649 People
v.
Chacon

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SIX

B169263 Rutherford et al., (Not for Publication)
B169266 v.
Ralph Helton & Assoc., et al.

The orders denying appellants' special motions to strike pursuant to section 425.16 are affirmed. Costs to respondents.

Yegan, J.

We concur: Gilbert, P.J.
Coffee, J.

May 20, 2004 (Continued)

DIVISION SIX (Continued)

B167770 People v. Ray (Not for Publication)

The judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

[illegible]

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

B167156 Harris, et al. (Not for Publication)
v.
Martines, et al.

The judgment is affirmed. Costs to respondent.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

May 20, 2004 (Continued)

DIVISION SIX (Continued)

B166989 Lavado (Certified for Publication)
v.
DeLoreto

The judgment is affirmed. Costs are awarded to respondents.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B171649 Child Protective Services (Not for Publication)
v.
Michelle V.,
In re M.Z., et al., Persons Coming Under the Juvenile Court Law.

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B165855 People (Not for Publication)
v.
Padilla

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

May 20, 2004 (Continued)

DIVISION SIX (Continued)

B170354 People v. Earley (Not for Publication)

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

B167205 People (Not for Publication)
v.
White

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B166595 Gherini
v.
Gallant, et al.

Filed order denying petition for rehearing.

DIVISION EIGHT

B155251 Mukathe, (Not for Publication)
v.
Martin Luther King, Jr. Hospital et al.

For the reasons set forth above, the summary judgments in favor of all five respondents are affirmed. Respondents to recover their costs on appeal.

Rubin, J.

We concur: Cooper, P.J.
Flier, J.